

The Brooks County Board of Commissioners met for its Monthly Work Session and Regular Monthly Meeting on Monday, September 9, 2019 at 5:00 p.m., in the Commissioners Meeting Room located at the Brooks County Office Building. Commissioners present were: Mr. James Maxwell, Chairman; Mr. Willie Cody; Mr. Rhett Rowe; Ms. Myra Exum; and Mr. Patrick Folsom, Vice Chairman. Others present were: Ms. Jessica McKinney, Administrator; Ms. Patricia Williams, County Clerk; Mr. James Burchett, County Attorney; and various residents.

**PUBLIC HEARING – Verizon Cell Tower Special Exception Request** - Chairman called the public hearing to order.

**A. Planning and Zoning Recommendation/Report** – Ms. Sherry Davidson, Southern Georgia Regional Commission, presented Application No. 08-19, Petition by Brian M. Devine, Representative of Verizon Wireless, for a Special Exception to build a 190-foot cell tower on property located on County Road 78 (owned by Charlie Rose) within the Agricultural Zoning District of unincorporated Brooks County, more specifically described as Brooks County Map No. 18, Parcel No. 0041. Planning Commission met on August 20, 2019; and voted unanimously to approve the application for Special Exception. SGRC Staff recommends approval of Application for Special Exception. The request meets standards for a special exception, there is no adverse impact to public or surrounding property; and does not generate traffic.

**B. Open Floor to Citizens Signed in to Speak** - Chairman asked if there was anyone in attendance to speak for or against the request; there were none. Chairman closed the public hearing at 5:03 p.m. to go into the work session.

**WORK SESSION** – Chairman called Work Session to order.

### **Reports from Committees/Departments**

**Stephanie Hollifield** – Presented an updated report of activities for August 2019.

- Due to cost of copying to save on color printing, newsletters will be emailed to Commissioners.
- Research trials, spray trials have begun to help peanut producers; troubleshooting fields.
- Brooks County is part of pilot program for hoe scraping started in August.
- The intern's last day with Extension Office was August 9<sup>th</sup>.
- Peanut Achievement award winner is from Brooks County.

**Ben DeVane – County Surveyor/Engineer**

**A. Open/Upcoming Road Projects**

- 2018 LMIG complete date is October 19, 2019; there has been no work since August 5<sup>th</sup>. Most of paving is done; striping is not complete.

**i.** Status of Blue Springs Road – No work done since August 5<sup>th</sup>, paving not complete. Once work gets back under way should take about a week to complete.

- ii. Status of Bridge Project – The proposed start date is April 2020. The existing width is 90 feet; proposed width will be 130 feet.

Ellenburg Road, CR 12 – Deed and plat research complete; will start this week on Troupeville Road end; and need to get control of dedicated right-of-way.

#### **JJ Allen – Road Superintendent**

- A. Current % of Budget Expenditure** – Reported 82%
- B. Current Road Conditions/Hazards** – No roads are closed.
  - i. **Closures** – None
- C. Report of Road Maintenance/Improvements** – Ellenburg Road, Grooverville Road, Patrick Road, Adams Road, Jenkins Road; and Duckworth Road.
  - i. **Complaints (Closed/Open)** – Receiving complaints on right-of-ways and potholes.
  - ii. **Requests Worked from Other Departments** – The Bus Shop has requested assistance with parking lot; Administrator has approved.
  - iii. **Roads Being Actively Worked** - Ellenburg Road, Grooverville Road, Patrick Road, Adams Road, Jenkins Road; and Duckworth Road.
  - iv. **Delays in Work/Reasons Why** – No delays
- D. Report of Equipment/Crew Stability**
  - i. **Equipment Down** – Three trucks are out of operation, too costly to repair. Side Arm remains down, cost \$6,000 to repair joy stick. Two trucks used for hauling have been repaired.
  - ii. **Reallocation of Crew** – None of crew has been reallocated.
  - iii. **Crew Capacity** – Department is down 18 employees from 28.

#### **Chief Jordan Smith – Fire Department**

- A. Count of Calls Responded To/Average Response Time (August/YTD)** – Received 67 calls for month of August. One structure fire, answered nine brush fire calls, 13 medical calls for backup or substitute. There were eight fire alarms; and total of 511 calls for 2019.
- B. Number of Fire Department Specific Events (August/YTD)** – Participated in GSAR with 11 other departments for training to be more prepared.
  - i. **Total Losses (Business/Residential)** – Assisted with fire at Dr. Black's Dental Office.
  - ii. **MV Accidents** – Total of 37 accidents with or without injury. There is concern regarding the intersection at Highway 133 and Highway 122, there have been 38 accidents, need to explore safety options. The Board agreed that a letter needs to

go to GDOT regarding this intersection; due to GDOT preparing to do a roundabout at Highway 133 and Highway 122 intersection.

**iii. Fatalities** – There was a fatality on August 31, 2019.

Chairman closed Work Session to go into the Regular Meeting at 5:36 p.m.

**1. Call to Order** – Chairman called meeting to order at 5:45 p.m.

**A. Prayer & Pledge** – Mr. Cody led all in attendance in prayer and pledge of allegiance.

**2. Approval of Agenda**

**A. September 9, 2019 Regular Monthly Meeting** – Mr. Cody made the motion to approve the agenda; and amend the agenda moving Section A from Unfinished Business, Mr. Folsom seconded. Vote was unanimous.

**Chairman asked County Clerk to read the following conditions for Special Exception Application No. 6-19 regarding conditions for Quitman II Solar, LLC:**

- 1. Quitman II Solar, LLC will enter into an agreement with Brooks County that provides, among other things, that Quitman II Solar, LLC shall agree to remove the solar panels and ancillary equipment from the property upon the expiration of the useful life of the project, and prior to the start of construction, Quitman II Solar, LLC shall post an irrevocable bond, letter of credit or other security instrument in the amount of \$1 million. As provided in the agreement, no later than 15 years after the project transmits commercial energy onto the electric grid, the required amount of the security will be adjusted to be the cost of removing the solar panels and ancillary equipment from the property less the salvage value of the solar panels and ancillary equipment.**
- 2. Quitman II Solar, LLC will enter into an agreement with Brooks County that provides, among other things, that Quitman II Solar, LLC shall conduct a baseline assessment of the condition of the pavement surface of County roads used to transport equipment to Quitman II Solar, LLC's property and agrees to restore those roads to their pre-construction condition in a reasonable time after conclusion of construction activities at the project site.**

3. Prior to the commencement of construction activities at the project site, Quitman II Solar, LLC will record a conservation easement on the approximate 75-acre wetland feature that is located in the northwest corner of the project area that is owned by Quitman II Solar, LLC. This approximate 75-acre area will not be surrounded by a fence.
  
4. Where Quitman II Solar, LLC's property abuts Hodges Road, Quitman II Solar, LLC will leave the existing vegetation in place for a minimum depth of 40 feet as measured from the centerline of Hodges Road. To the extent there are areas where existing vegetation does not act as a visual screen of the solar facility components (excluding any overhead power lines) for persons traveling on Hodges Road, Quitman II Solar, LLC will plant, in those areas, a double row of off-set evergreens that are a minimum height of 5 feet and expected to achieve opaqueness and a minimum height of 10 feet after 5 years. Prior to the issuance of any building permits, the Building Inspector shall review and approve the locations where Quitman II Solar, LLC intends to install any evergreens. Where Quitman II Solar, LLC's property abuts Hodges Road, any fencing that is installed by Quitman II Solar, LLC will be no closer than 40 feet from Hodges Road, as measured from the centerline of Hodges Road.

**3. Approval of Minutes**

On a motion by Mr. Folsom, seconded by Mr. Cody, the Board unanimously approved the minutes of the regular meeting held August 5, 2019 with clarification of conditions regarding the Quitman Solar II project.

On motion by Ms. Exum, seconded by Mr. Cody, the Board unanimously approved the following minutes.

- Special Called Meeting August 12, 2019
- Special Called Meeting August 22, 2019

**4. Appearances**

**A. Charlie DeVane – Animal Control** – Mr. DeVane appeared to address concerns regarding animal control for Brooks County. Sheriff Dewey spoke on behalf of the need for animal control stating the County needs to do something; animal control has become a big concern; and no one in his department wants to shoot dogs. Ms. Sharon Waters also spoke regarding concerns for dogs being dumped on DeVane Road; and witnessing individuals dumping animals on the road. It is a liability to Brooks County; and puts the lives of the animals in danger.

Mr. DeVane stated he had three options for the County to consider. 1. Partner with the City of Quitman; 2. Talk to Thomas County; and 3. Possibly build a facility, he is willing to assist in any way. Questions were asked in regards to funding, if there is or could be grant funding available.

Ms. Exum recommended approving the creation of a committee to research avenues to develop animal control. After further discussion, Mr. Folsom made the motion to approve forming a committee to research avenues for animal control in Brooks County; Mr. Rowe seconded. Vote was unanimous.

**B. Brooks County Pork Producers** -Administration received a request from Brooks County Pork Producers to discuss their request to assist in financially supporting the installation of a roll up door at the Ag Annex. Ms. Exum made the motion to approve the request from Pork Producers to pay for the installation of a roll up door at the Ag Annex, Mr. Folsom seconded. Vote was unanimous.

**C. Linda Folsom – Haddock Road** – Administration received request from Mrs. Linda Folsom to appear regarding the status of Haddock Road. This issue was previously discussed in 2018; and there has been no follow-up to a resolution. County Attorney, recommended the Board table this issue until his review, due to this being an issue before the County retained him for County Attorney. Mr. Rowe made the motion to table this issue until the October regular meeting to give County Attorney time to review, Mr. Cody seconded. Vote was unanimous.

**D. Christopher Godfrey – Road Improvements** – Mr. Godfrey requested to appear regarding conditions of the roads in his area and needed improvements. He did not appear.

**E. Edwin Pope – Solar Moratorium** – Administration received a request to appear regarding the consideration for establishing a solar moratorium. Mr. Pope stated he would like the Board to consider a solar moratorium for future solar development related to the Zoning Ordinance. Mr. Folsom made the motion to table this item until the regular meeting in October so the Board can give it some thought; and County Attorney can gather more information, Ms. Exum seconded. Vote was unanimous.

**F. Mattie Neloms – Request for Use of Ag Auditorium** – Ms. Neloms submitted a request to use the Ag Building Auditorium on November 28, 2019. The event is for her Mother's Birthday and a Thanksgiving family celebration of life. The usage fee (\$20) was discussed for utilities. Administration is in process of modifying the Facility Use Agreement; so the fee of \$200 was not changed. Mr. Cody motioned to grant the use of the Ag Auditorium on November 28, 2019, seconded by Mr. Folsom. Vote was unanimous.

## **5. New Business**

**A. Verizon Cell Tower Special Exception** – On the motion by Mr. Cody, seconded by Mr. Folsom, the Board unanimously approved the Application No. 08-19

for Special Exception to build a 190 foot cell tower on property located on County Road 78 within the Agricultural Zoning District.

**B. Joint Resolution of the Members of South Regional Joint Development Authority –** Ms. Tiffany Holmes, on behalf of the Development Authority, requested signatures for the Joint Resolution for the new appointment to the South Regional Joint Development Authority. Ms. Exum motioned to approve signatures for the Resolution for the appointment of Jason Shaw as member at large for a term of four (4) years to the Southern Regional Joint Development Authority, Mr. Cody seconded. Vote was unanimous.

**C. Proposed Road Department Consulting Contract –** A proposed contract was submitted for review by the Board for consideration of accepting a consulting contract by Jim Owens, local citizen and certified professional in road/highway work with planning and construction. The scope of work includes a six (6) month term; partnering with our Road Superintendent to provide immediate assessment. Mr. Folsom made the motion to accept the proposed contract, Mr. Cody seconded. Ms. Exum inquired if the County Attorney had reviewed the proposed contract. County Attorney responded he had reviewed the contract and found several items for concern. After discussion, Mr. Folsom withdrew his motion to accept the proposed contract, and Mr. Cody withdrew his second. The Board tabled this item until October at the next meeting whether it's the regular meeting or a special called meeting for further review, on the motion by Mr. Folsom and seconded by Mr. Cody. Vote was unanimous.

**6. Unfinished Business**

**A. Reading of the Solar Exception Approval –** This item was removed from the agenda.

**B. Road Department Vehicle Purchase –** This item was tabled until the next meeting for further research, on a motion by Mr. Folsom; seconded by Mr. Cody. Vote was unanimous.

**7. County Administrator Notes/Comments**

**A. Proposed Work Session for 2020 LMIG Projects –** The Board scheduled the work session for September 23, 2019 at 8:00 a.m.

**B. Farm Property of 200+ Acres; Lease Is Up December 2019 –** The lease for the Fritzke Farm terminates December 2019. Administrator placed this item on the agenda to see whether or not the Board would like to put the lease out for bid. The Board agreed to put out an RFP to receive bids for the Fritzke Farm lease on the October agenda.

**8. Commissioners Notes/Comments**

**A. Rhett Rowe - District 1 –** No comment.

**B. Patrick Folsom, District 2** – Commented on discussing video recording the Board meetings.

**C. Willie Cody, District 3** – No comment.

**D. Myra Exum, District 4** – Commented on the hurricane and being blessed we were missed; but the Staff was ready.

**E. James Maxwell, District 5** – Thanked everyone for coming. Commented on how important it is to work together on the 2020 Census.

**9. Executive Session – Personnel**

The Board closed the regular meeting to go into Executive Session at 7:02 p.m. on the motion by Mr. Cody; seconded by Mr. Folsom.

On motion by Ms. Exum, the Board closed Executive Session and returned to the regular meeting at 7:50 p.m.; Mr. Cody seconded.

Ms. Exum made the motion to table the personnel issue until the Board reconvenes on September 23<sup>rd</sup>, and the employee will not work full-time until that time; Mr. Cody seconded. Vote was unanimous.

**10. Adjournment** - Ms. Folsom made the motion to adjourn regular meeting at 7:53 p.m.; Ms. Exum seconded.

Mr. James Maxwell, Chairman  
Ms. Jessica McKinney, Administrator  
Ms. Patricia A. Williams, Clerk